

### **REMARKS**

Claims 14-33 are now pending in the application. Claims 1-13 stand rejected. Claims 1-13 have been canceled herein. Support for newly added Claims 14-33 can be found throughout the application as originally filed, and in particular in Paragraphs [0014] - [0015], [0019] and Figures 1 and 2. As such, no new matter has been presented. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **DRAWINGS**

Applicants gratefully acknowledge the acceptance of the drawings filed with this application on April 14, 2006\*.

### **REJECTION UNDER 35 U.S.C. § 102**

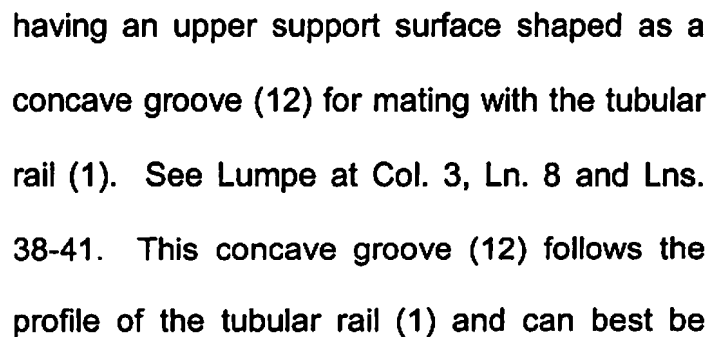
Claims 1, 5-9, 11, and 12 stand rejected under 35 U.S.C. §102(b) as being anticipated by Lumpe *et. al.* (U.S. Pat. No. 5,893,499). Claims 1-4, 10, and 13 stand rejected under 35 U.S.C. §102(e) as being anticipated by Stapleton (U.S. Pat. No. 7,204,396). These rejections are respectfully rendered moot by the withdrawal of Claims 1-13. Accordingly, Applicants respectfully request the Office to reconsider and withdraw the rejection of Claims 1-13 under 35 U.S.C. §§102(b) and 102(e).

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\* In Item 10 of the Office Action Summary, reference was made to drawings filed on "14 March 2006"; however, Applicants respectfully point out that this application wasn't filed until 14 April 2006. Applicant assumes this is merely a typographical error and responds herein accordingly.

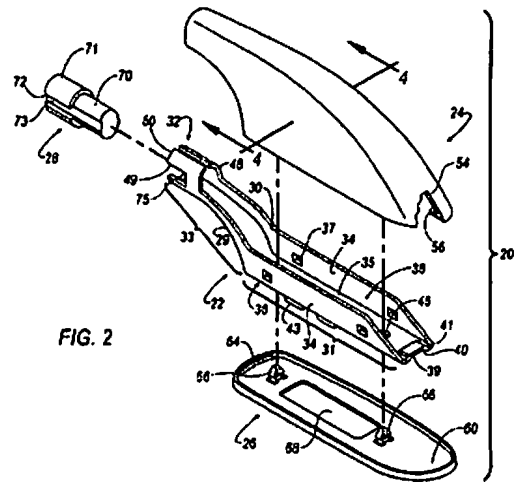
Claims 14-33 are newly presented. Support for the newly presented claims can be found throughout the application, drawings and claims as originally filed and, as such, no new matter has been presented. In particular, claim 14 combines the features of former claims 1 and 6 and further incorporates the recess (9), which is disclosed in Paragraph [0015] of the specification. Therefore, claim 14 discloses a roof railing with a bend supported by a support having a support surface with a flat cross section. The support surface is in contact with a corresponding surface of the bend. Additionally, the bend shows a recess, meaning that its lower side gives way to a part of the support. The bend is, therefore, fixed axially. This enables the bend to transfer forces to the mounting points through the support.

Lumpe is directed to a rail (1) with a tubular extruded profile and a support (5)



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Stapleton is directed to an article carrier (10) having a longitudinal side rail (12) extending between a pair of support assemblies (20). See Stapleton at Col. 2, Lns. 61-64. The support (22) has a u-shaped cross section. See Stapleton at Col. 3, Lns. 21-22. The support assembly (20) attaches to the rail (12) at an end and can best be shown in Figure 2, reproduced to the right.



Neither Lumpe nor Stapleton disclose that "said support engage[s] said underside of said rail at a top surface of said support, said top surface of said support being substantially flat and sized to fit said tapered region, " as recited in Applicants' claim 14. Additionally, neither Lumpe nor Stapleton disclose, "at least two supports...mating with said substantially flat underside of said crossbar" as recited in Applicants' claim 29. Therefore, Applicants respectfully submit that independent claims 14 and 29 are in condition for allowance. Claims 15-28, directly or indirectly depending from claim 14, and claims 30-33, directly or indirectly depending from claim 29, are also patentable for at least the same reasons.

## **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is

in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

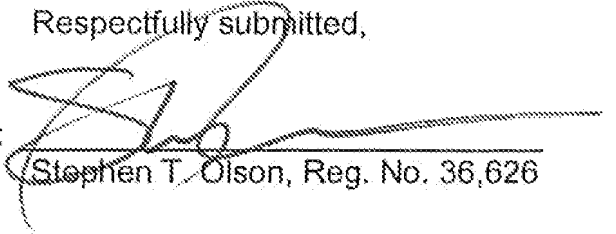
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Respectfully submitted,

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